

ORDINANCE NO. 20190808-123

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 3706 GOODWIN AVENUE IN THE EAST MLK COMBINED NEIGHBORHOOD PLAN AREA FROM GENERAL COMMERCIAL SERVICES-MIXED USE-NEIGHBORHOOD PLAN (CS-MU-NP) COMBINING DISTRICT TO GENERAL COMMERCIAL SERVICES-MIXED USE-VERTICAL MIXED USE BUILDING-NEIGHBORHOOD PLAN (CS-MU-V-NP) COMBINING DISTRICT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district to general commercial services-mixed use-vertical mixed use building-neighborhood plan (CS-MU-V-NP) combining district on the property described in Zoning Case No. C14-2019-0041, on file at the Planning and Zoning Department, as follows:

3.7402 acres of land, more or less, out of Outlot 56, Division "A" in the City of Austin, Travis County, Texas, said 3.7402 acres of land being more particularly described by metes and bounds in **Exhibit "A"** incorporated into this ordinance (the "Property"),

locally known as 3706 Goodwin Avenue in the City of Austin, Travis County, Texas, generally identified in the map attached as **Exhibit "B"**.

PART 2. The Property is subject to Ordinance No. 021107-Z-12c that established zoning for the MLK Neighborhood Plan.

PART 3. This ordinance takes effect on August 19, 2019.

PASSED AND APPROVED


____ August 8 _____, 2019

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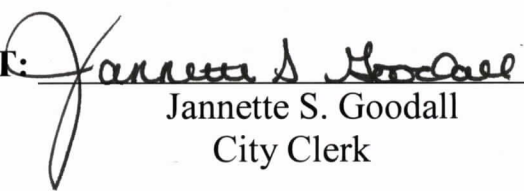
Steve Adler
Mayor

APPROVED:

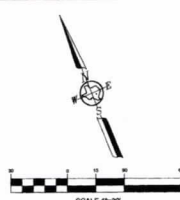


Anne L. Morgan
City Attorney

ATTEST:

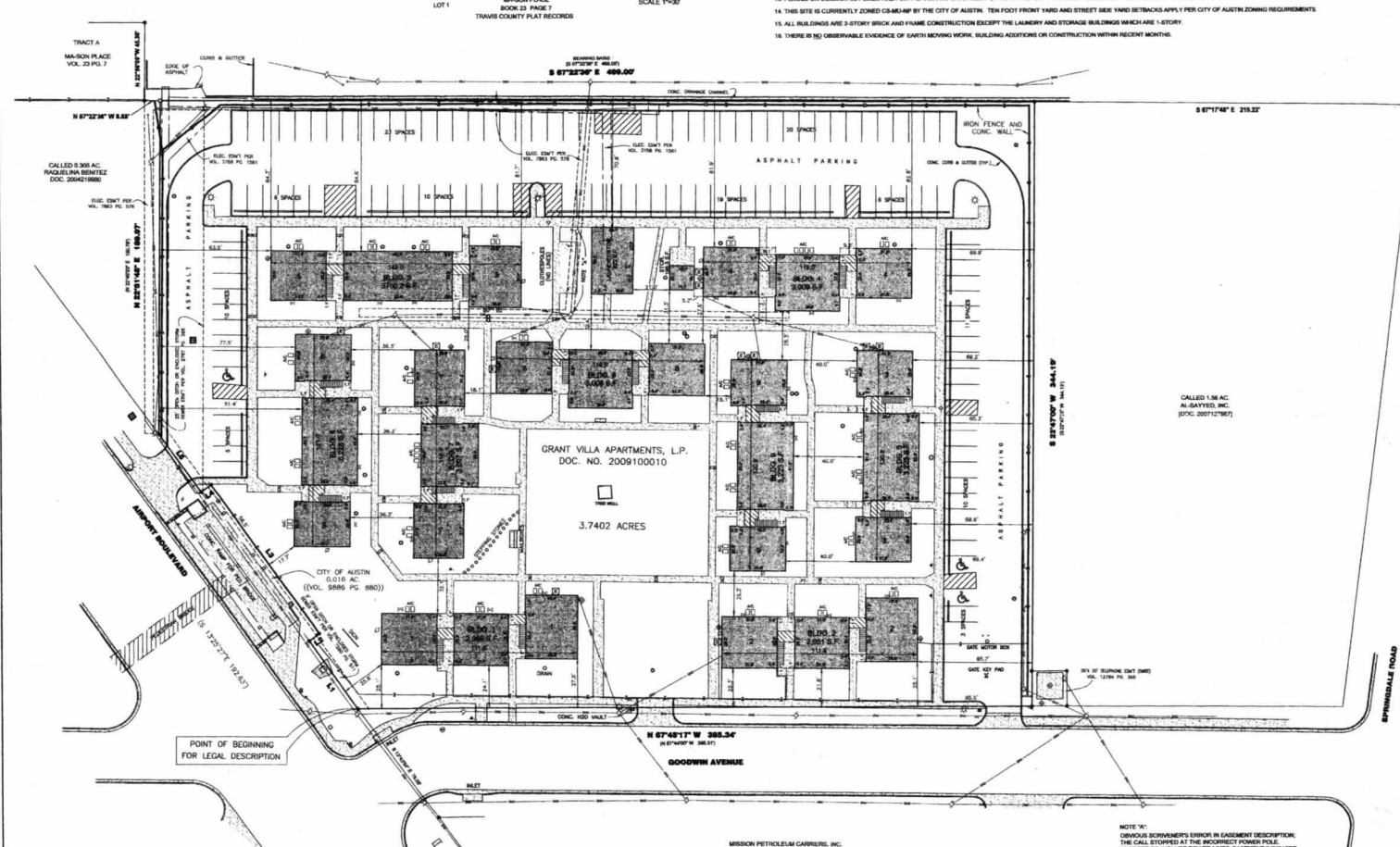


Jannette S. Goodall
City Clerk



NOTES:

1. ALL EASEMENTS AND BUILDING LINES SHOWN ARE PER THE RECORDED PLAT UNLESS OTHERWISE NOTED.
2. EXCEPTIONS FROM COVERAGE LISTED IN SCHEDULE "B" OF TITLE COMMITMENT SHOWN HEREON ARE AS FOLLOWS: VOL. 2167, PG. 388, VOL. 7260, PG. 91, VOL. 3798, PG. 1981, VOL. 1965, PG. 876, D.A.T.C. 7.
3. ALL BUILDING LINES, EASEMENTS, BUILDING RESTRICTIONS, DEED RESTRICTIONS, ETC. AND ZONING ORDINANCES, IF ANY, THAT MAY AFFECT SUBJECT PROPERTY SHOULD BE REVIEWED PRIOR TO PLANNING AND/OR CONSTRUCTION.
4. MINIMUM FINISH FLOOR REQUIREMENTS, IF SHOWN, ARE PER RECORDED PLAT AND/OR DEED RESTRICTIONS ONLY, AND NOTED AS SUCH. ADDITIONAL FINISH FLOOR REQUIREMENTS MAY BE REQUIRED BY A FIRM'S AND/OR LOCAL GOVERNING AUTHORITIES.
5. SURFACE OR SUBSURFACE FLOODING, HAZARDOUS WASTE, MINERAL RIGHTS, WETLAND DESIGNATION OR OTHER ENVIRONMENTAL ISSUES AND ARCHEOLOGICAL ISSUES HAVE NOT BEEN ADDRESSED WITHIN THE SURVEY.
6. ABSTRACT INFORMATION PROVIDED HEREON IS BELIEVED TO BE SUFFICIENT AND CORRECT BY THE UNDERSIGNED SURVEYOR. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY THE SURVEYOR. THE SURVEYOR HAS REVIEWED THE RECORDS OF THE COUNTY OF ARIZONA ON THE RECORDED MAP OR PLAT AND/OR DEED AND TITLE INFORMATION ADDITIONAL SHOULD VERIFY ALL BUILDING LINES, EASEMENTS, RESTRICTIONS, AND ORDINANCES, IF ANY, AS SHOWN HEREON.
7. A GEORADE AND/OR ANGLE EASEMENT MAY EXIST ADJACENT TO ANY EXISTING UTILITY. OWNER/SUBJECT SHOULD VERIFY CLEARANCE OF UTILITIES AND EASEMENTS WITH APPLICABLE UTILITY COMPANIES PRIOR TO CONSTRUCTION.
8. THIS SURVEY DOES NOT ADDRESS ARCHITECTURAL PROTECTIONS SUCH AS EAVES, OVERHANGS, WINDOW LEDGES, ETC. IN RELATION TO EASEMENTS AND/OR BUILDING LINES.
9. FLOOD INFORMATION PROVIDED HEREON IS BASED ON LOCATING THE LOCATION OF THE SUBJECT TRACT ON THE FLOOD INSURANCE RATION MAPS. THE INFORMATION SHOULD BE USED TO DETERMINE IF FLOOD INSURANCE RATES ARE LOW OR NOT INTENDED TO IDENTIFY SPECIFIC FLOODING CONDITIONS. WE ARE NOT PROVIDING FLOOD INFORMATION FOR THE PURPOSE OF DETERMINING FLOOD INSURANCE RATES.
10. FOR LOW CHANCE LOT LINES AND FOR THE USE AND ENJOYMENT OF RIPPY PROPERTY CONDITIONS, PERKINS MARSHALLOTT OR NEARLY LOT LINES EXCEPT AS SHOWN HEREON.
11. THIS SITE IS CURRENTLY ZONED C-6(AM) BY THE CITY OF AUSTIN. THIS FOOT PRINT MAY VARY AND STREET SIDE YARD SETBACKS APPLY PER CITY OF AUSTIN ZONING REQUIREMENTS.
12. ALL BUILDINGS ARE 2-STORY BRICK AND FRAME CONSTRUCTION EXCEPT THE LAUNDRY AND STORAGE BUILDINGS WHICH ARE 1-STORY.
13. THERE IS NO OBSERVABLE EVIDENCE OF EARTH MOVING WORK, BUILDING ALTERATIONS OR CONSTRUCTION WITHIN RECENT MONTHS.



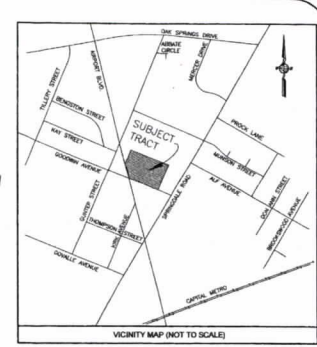
LINE TABLE

L1	N 13°08'19" W 47.41' (N 13°08'19" W 47.57')
L2	N 78°12'54" E 6.92' (N 78°12'14" E 7.00')
L3	N 13°16'51" W 105.36' (N 13°16'51" W 105.37')
L4	S 75°41'01" W 7.00' (S 75°41'01" W 7.00')
L5	N 13°19'43" W 40.54' (N 13°19'43" W 40.71')

Parking Tabulation:
Total regular spaces provided: 120
Total handicap spaces provided: 3
Total combined spaces provided: 123

NOTE "A":
OBVIOUS SCRIVENER'S ERROR IN EASEMENT DESCRIPTION;
THE CALL STOPPED AT THE INCORRECT POWER POLE.
IN ORDER TO INCLUDE POWER LINES, EASEMENT INDICATED
BY DASHED LINE AND LINED - - - - - POWER LINE PARALLEL TO ALLEY DRIVEN

REVISIONS			
NO.	DATE	REASON	BY



LEGAL DESCRIPTION:
BEING 3.7483 ACRES OF LAND OUT OF OUTLOT 58, DIVISION "A" ORIGINAL CITY OF AUSTIN,
TRAVIS COUNTY, TEXAS AND BEING THAT SAME TRACT DESCRIBED IN THAT CERTAIN DEED
RECORDED UNDER DOC. NO. 2999190615 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS
COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS
FOLLOWS:

BEGINNING at a 1/4 I.D. iron pipe found at the intersection of the northerly right-of-way line of Goodwin Avenue and the easterly right-of-way line of Airport Boulevard at the southwest corner of the herein described tract;

1. N78°08'10"W 47.41 feet to a "X" diameter iron pin found at the southwest corner of said section 8, 0.05 feet above the top of the additional right-of-way conveyed upon the City of Austin by Deed recorded in Volume 9889, Page 650 of the San Antonio Public Records of Tarrant County Texas.
2. N78°12'24"E 6.92 feet to a "X" diameter iron pin found at the southwest corner of said 0.016 of an acre.
3. N13°18'11"W 108.38 feet to a "X" diameter iron pin found at the northwest corner of said 0.016 of an acre.
4. S74°11'13"W 7.50 feet to a "X" diameter iron pin found at the northwest corner of said 0.016 of an acre and at the original right-of-way line of Airport Boulevard.
5. N13°18'11"W 40.84 feet to a "X" diameter iron pin found at the northeastern corner of said section 8, 0.05 feet above said conveyed line together divided by Deed recorded under Doc. No. 199,114.

TRINCE continuing with the westerly line hereof and the westerly line of said Bonita tract, N22°51'46" 18.87 feet to a "S" diameter iron pin set at the northwest corner hereof on the southerly line of Ma-Gee Place, a subdivision of record in Book 23, Page 7 of the Plat Records of Travis County Texas;

TRINCE with the northerly line hereof and the southerly line of said Ma-Gee Place, S67°22'36" 498.81 feet to a "S" diameter iron pin found at the northeast corner hereof and the northwest corner of that tract 1.56 acre tract conveyed unto Al-Sayyid, Inc. by deed recorded under Doc. No. 2967127567 of the GR Plat Records of Travis County Texas;

THENCE with the easterly line hereof and the westerly line of said 1.58 acre tract, S22°47'05"W 344.19 feet to a 1/2" diameter iron pin found at the southeast corner hereof on the northerly right-of-way line of a Goodwin Avenue;

Reading Basis derived from an inverse between iron pin found at the southwest corner of Tract A, Ma-Sa Stone and Iron ore Road, at the southeast corner of Tract A.

ALTAIACSM CERTIFICATION

SUPERVISOR'S CERTIFICATE:

THE UNDERSIGNED BEING A REGISTERED PROFESSIONAL LAND SURVEYOR OF THE STATE OF TEXAS DOES HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF GOODOWN APARTMENTS, LLC, AND FIDELITY NATIONAL TITLE INSURANCE COMPANY THAT:

1. THAT THIS MAP OR PLAN AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE MINIMUM STANDARD DETAILS REQUIREMENTS OF ALTA/ACSM LAND TITLE SURVEYS JOINTLY ESTABLISHED AND ADOPTED BY THE AMERICAN LAND TITLE ASSOCIATION (ALTA) AND THE NATIONAL SOCIETY OF PROFESSIONAL SURVEYORS (NSPS), IN 2006, AND INCLUDES ITEMS 1, 2, 3, 4, 6 & 8 AS PROVIDED TO SURVEYORS, TA, 78 (1), (2), 6, 8, 10, 11 & 12 BOUNDARY ABOVE GRADE, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 8

2. THE LOCATION AND DIMENSION OF EACH EASEMENT, RIGHT-OF-WAY, SERVITUDE, ALLEY, STREET, ROAD, AND SETBACK LINE OF RECORD AFFECTING THE SUBJECT PROPERTY, LISTED IN THE TITLE INSURANCE COMMITMENT DATED DECEMBER 15, 2010, ISSUED BY FIDELITY NATION TITLE COMPANY AND PROVIDED TO SURVEYOR, HAS BEEN SHOWN ON THE SURVEY, TOGETHER WITH THE APPROPRIATE PROVIDED RECORDING REFERENCES; OTHER THAN DIFFERENCES SHOWN HEREON, THIS SURVEY REPRESENTS THE PROPERTY DESCRIBED IN SAID TITLE COMMITMENT.

3. THE SUBJECT PROPERTY AS SHOWN ON THE SURVEY SCALES (IN OR OUT OF) A SPECIAL FLOOD HAZARD AREA AS DESIGNATED AND DESCRIBED ON THE FLOOD INSURANCE RATE MAP (FIRM 48053C, PANEL 0450 H, DATED SEPT. 28, 2008 AS DETERMINED IN ACCORDANCE WITH CRITERIA ESTABLISHED BY THE U.S. DEPARTMENT OF HOMELAND SECURITY AND FEDERAL EMERGENCY MANAGEMENT ADMINISTRATION (FEMA).

4. THIS SURVEY IS TRUE AND ACCURATE WITHIN THE TOLERANCES SPECIFIED IN THE ALTA; ACCURACY MINIMUM STANDARDS, AND MADE ON THE GROUND UNDER MY SUPERVISION. PER FIELD NOTE DESCRIPTION SHOWN HEREON AND ACCURATELY SHOWS THE BOUNDARY LINES, DIMENSIONS AND THE AREA OF THE LAND INDICATED AND/OR EACH INDIVIDUAL PARCEL HEREON AND FORMS A MATHEMATICALLY CLOSED FIGURE. (ALSO IT IS NOTED ON THIS SURVEY, IF RECORD DESCRIPTION DOES NOT MATHEMATICALLY CLOSE).

6. EXCEPT AS SHOWN ON THE SURVEY, AND PER THE DATE OF THIS SURVEY, THERE ARE NO OBSERVABLE EVIDENCE OF EASEMENTS AND/OR RIGHTS-OF-WAY (S) OBSERVABLE SURFACE

PROTRUSIONS OR ADJOINING PREMISES, STREETS OR ALLEYS BY ANY OF SAID BUILDINGS, STRUCTURES, OR OTHER OBSERVABLE IMPROVEMENTS, (C) OBSERVABLE SURFACE PROTRUSIONS ON THE SUBJECT PROPERTY BY ANY BUILDINGS, STRUCTURES, OR OTHER OBSERVABLE IMPROVEMENTS SITUATED ON ADJOINING PREMISES, OR (D) OBSERVABLE PROTRUSIONS ON ANY EASEMENT OR BUILDING SETBACK LINE, BY ANY BUILDINGS, STRUCTURE OR OTHER OBSERVABLE IMPROVEMENTS SITUATED ON THE SUBJECT PROPERTY.

8. DIRECT AND/OR INDIRECT PHYSICAL INGRESS AND EGRESS FOR THE SUBJECT PROPERTY PUBLIC STREET AND/OR HIGHWAY, AS EVIDENCED BY DRIVES AND/OR CURB CUTS AS SHOWN HEREON (IF ANY EXIST, IF NOT IT IS SO NOTED HEREON). DIRECT AND/OR INDIRECT RECORD AND/OR UNRECORDED INGRESS/EGRESS IS ALSO SHOWN HEREON, IF PROVIDED TO THE


UNDERSIGNED SURVEYOR.

[Signature] 

THIS SURVEY IS NULL AND VOID WITHOUT THE ORIGINAL

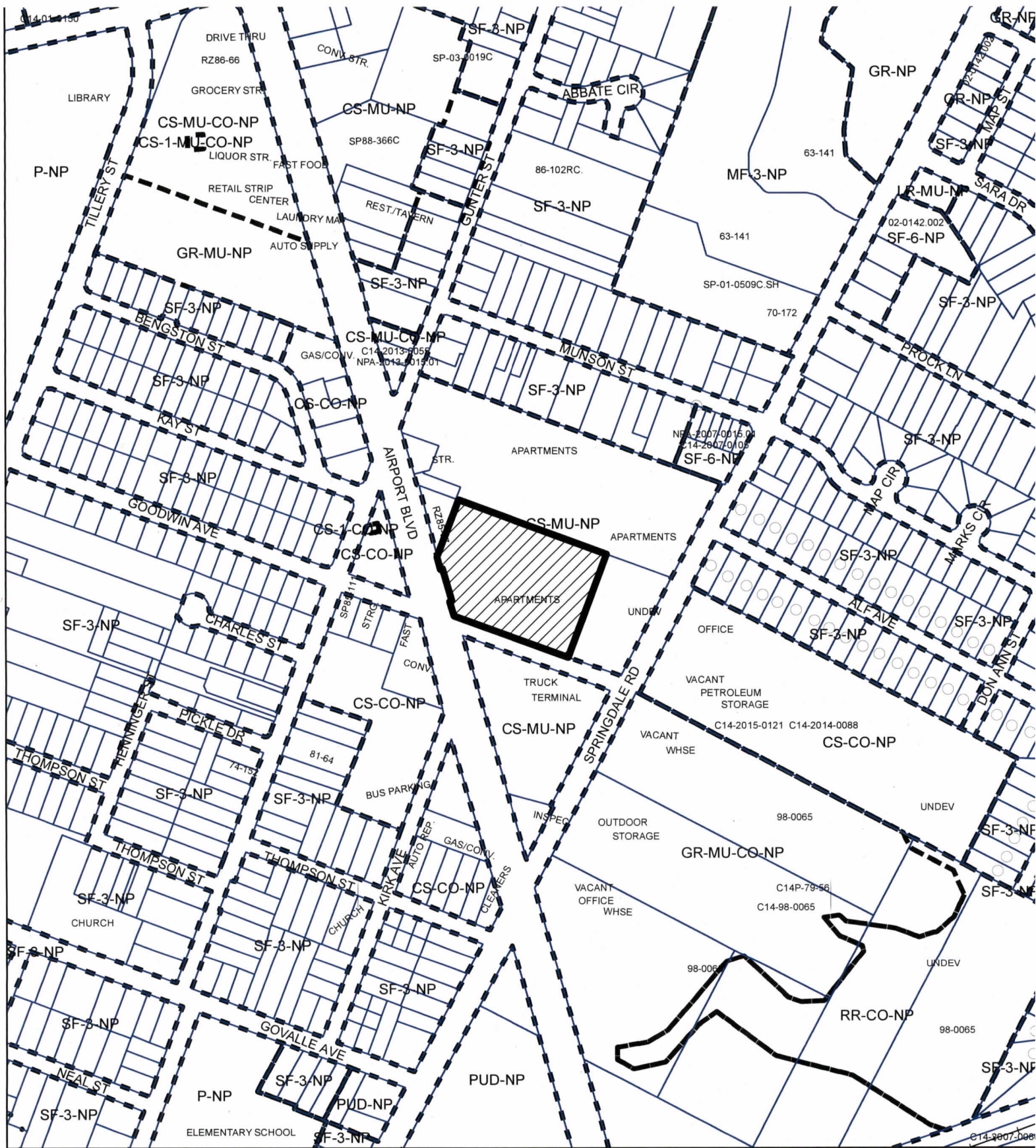
3706 GOODWIN AVENUE
AUSTIN, TEXAS 78721

WWW.SURVEYINGCOMPANY.COM
1802 Manchaca Road Phone: (512) 440-0222
Austin, Texas 78704 Fax: (512) 440-0224



TRI-TECH
SURVEYING COMPANY, L.P.

EXHIBIT "A"



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

ZONING

ZONING CASE#: C14-2019-0041

EXHIBIT "B"

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



Created: 2/25/2019

1" = 400'